

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

DEPT. OF TRANSPORTATION
DOCKETS

NOV 04 DEC 14 A 10: 21

**Federal Motor Carrier Safety
Administration,**

Claimant,

V.

Jaime Lopez
d.b.a. Jaime's Trucking,

Respondent.

**Docket No. FMCSA-2004-19860-
CA-2004-0052-US0871
(Western Service Center)**

MOTION FOR EXTENSION OF TIME TO SUBMIT EVIDENCE
PURSUANT TO 49 C.F.R. §386.14(c).

COMES NOW the Field Administrator for the United States Department of Transportation, Federal Motor Carrier Safety Administration, Western Service Center, by and through the undersigned, and respectfully states:

1. On October 29, 2004, a Notice of Claim was served upon Respondent, Jaime Lopez d.b.a. Jaime's Trucking.
2. On November 15, 2004, the office of the Field Administrator received Respondent's reply to the Notice of Claim. The Reply does not state the Respondent intends to submit evidence without oral hearing, but does generally dispute the assessed penalty.

3. To the extent this reply would constitute an intention to submit evidence without oral hearing, the Parties' evidence would be due on December 13, 2004. The case evidence in this matter was received from the California Division on December 8, 2004, and the respondent has submitted information for review by the Field Administrator. For these reasons, the office of the Field Administrator has not had an opportunity to determine if settlement negotiations are appropriate. In order to facilitate review the evidence in this case and the information submitted by the respondent to make appropriate determinations regarding the potential for settlement, the Field Administrator is seeking an extension of time of thirty (30) days, during which time both parties may submit evidence if a resolution or settlement is not reached.

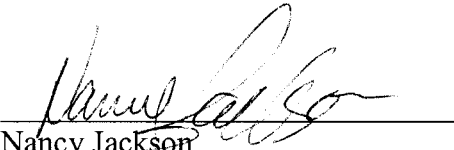
WHEREFORE, the Field Administrator respectfully requests that the Assistant Administrator extend the time to submit evidence in this matter, pursuant to 49 C.F.R. §386.14(c) until January 12, 2005.

Respectfully Submitted,

Federal Motor Carrier Safety Administration
Western Service Center

Date: December 13, 2004

BY:



Nancy Jackson

~~Trial Attorney~~

Federal Motor Carrier Safety Administration
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215
303-407-2363
303-407-2339 (Fax)

CERTIFICATE OF SERVICE

This is to certify that on this 13th day of December 2004, the undersigned mailed or delivered as specified, the designated number of copies of the forgoing documents to the persons listed below.

Jaime Lopez, Owner
Jaime Lopez
dba Jaime's Trucking
4249 Elton Street
Baldwin Park, CA 91706

One Copy
U.S. Mail

Terry D. Wolf, Division Administrator
U.S. Department of Transportation
Federal Motor Carrier Safety Administration
1325 J Street, Room 1540
Sacramento, CA 95814

One Copy
U.S. Mail

Jaime's Trucking
c/o Evilsizor Transportation Services
Carlos Alarcon, Process Agent
281 E. Workman Street, 2nd Floor
Covina, CA 91723

One Copy
U.S. Mail

U.S. DOT Dockets
U.S. Department of Transportation
Room PL-401
400 Seventh Street, SW
Washington, D.C. 20590

Original
Federal Express
Trk# **7908 5756 0372**

Nancy Jackson
Trial Attorney
Federal Motor Carrier Safety Administration
12600 W. Colfax Ave., Suite B-300
Lakewood, CO 80215

One Copy
Personal Delivery

12/13/2004

Heather Horton